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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**CERTIFICATE OF NO OBJECTION OF TRUSTEE'S MOTION FOR  
ENTRY OF ORDER PURSUANT TO SECTION 105(a)  
OF THE BANKRUPTCY CODE AND RULES 2002 AND 9019 OF THE  
FEDERAL RULES OF BANKRUPTCY PROCEDURE APPROVING  
A SETTLEMENT AGREEMENT BY AND BETWEEN THE TRUSTEE AND  
SILVER CREEK LONG/SHORT HOLDINGS, L.L.C.**

Irving H. Picard (the "Trustee"), as trustee for the liquidation of Bernard L. Madoff  
Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III  
("SIPA") and the substantively consolidated Chapter 7 estate of Bernard L. Madoff, by and

through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On March 25, 2016, the Trustee filed the Motion for Entry of Order Pursuant to Section 105(a) of the Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure Approving a Settlement Agreement By and Between the Trustee and Silver Creek Long/Short Holdings, L.L.C. (the “Motion”) (ECF 12981).

2. The deadline for filing objections to the Motion expired on April 20, 2016 at 5:00 p.m. A hearing on the Motion has been scheduled for April 27, 2016 at 10:00 a.m.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) SIPC; (ii) the SEC; (iii) the Internal Revenue Service; (iv) the United States Attorney for the Southern District of New York; and (v) Davis Polk & Wardwell LLP, 450 Lexington Avenue, New York, New York 10017, Attn: Dana M. Seshens. The Trustee also has provided notice to all parties who have entered an appearance through the ECF Filing System and to all interested parties by email or regular U.S. Mail as defined in the Order Establishing Notice Procedures (ECF No. 4560).

4. Counsel has reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. An electronic copy of a proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion will be submitted to the Court, along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

Dated: New York, New York  
April 22, 2016

**BAKER & HOSTETLER LLP**

By: /s/ Eric R. Fish

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